

Message Text

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ACTION DLOS-09

INFO OCT-01 IO-14 ISO-00 AF-10 ARA-14 EA-12 EUR-12
NEA-10 ACDA-12 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00
CIAE-00 COME-00 DODE-00 DOTE-00 EB-08 EPA-04
SOE-02 DOE-15 FMC-02 TRSE-00 H-02 INR-10 INT-05
JUSE-00 L-03 NSAE-00 NSC-05 NSF-02 OES-07 OMB-01
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LOS COLLECTIVE

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E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS CONFERENCE - HIGHLIGHTS, APRIL 14

BEGIN SUMMARY. THE CONFERENCE DECIDED ON ITS ORGANIZATION AND PROCEDURES AND MOVED AHEAD ON APRIL 14 TO ESTABLISH THE SPECIAL NEGOTIATING GROUPS. END SUMMARY.

1. THE PLENARY SESSION AGREED APRIL 13 ON THE RECOMMENDATION OF THE GENERAL COMMITTEE ON THE ORGANIZATION OF WORK FOR THE SEVENTH SESSION. (FULL REPORT SENT SEPTEL).

ORGANIZATION OF WORK

AT A MEETING APRIL 14 IN THE PRESIDENT'S OFFICE ATTENDED BY CHAIRMEN OF THE REGIONAL GROUPS (INCLUDING U.S.), COMMITTEES I AND II AND INTEREST GROUPS, THE FOLLOWING DECISIONS WERE TAKEN: NEGOTIATING GROUP ONE (SYSTEM OF SEABED EXPLOITATION) WOULD BE CHAIRED BY FRANK
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NJENGA (KENYA). IT WOULD HAVE A NUCLEUS OF 48 COUNTRIES DIVIDED AS FOLLOWS: AFRICA 12; ASIA 11; LATIN AMERICA 8; EASTERN EUROPE 6; WESTERN EUROPE 10; AND USA. NEGOTIATING GROUP FOUR (LL/GDS ACCESS TO LIVING RESOURCES OF THE EEZ) WOULD BE CHAIRED BY SATYA NANDAN (FIJI). IT WOULD HAVE A NUCLEUS OF 40 COMPOSED AS FOLLOWS: LL/GDS 17; COASTAL STATES 17; OTHERS ("NEUTRALS") 6. ITEMS 2,

(FINANCIAL ARRANGEMENTS); 3 (ORGANS OF THE AUTHORITY); AND 6 (DELIMITATION OF THE OUTER EDGES OF THE CONTINENTAL MARGIN) WOULD BE REFERRED TO THE RESPECTIVE MAIN COMMITTEES FOR DECISION ON WHETHER NEGOTIATING GROUPS SHOULD BE FORMED. CHAIRMANSHIP AND COMPOSITION OF THE NUCLEUS OF NEGOTIATING GROUPS FIVE (CDS IN THE EEZ) AND SEVEN (DELIMITATION OF BOUNDARIES BETWEEN ADJACENT AND OPPOSITE STATES) WOULD BE DECIDED LATER. AMERASINGHE SAID IT WAS HIS INTENTION TO LIMIT THE NUCLEUS OF EACH OF THESE GROUPS TO AROUND 20.

2. THERE WERE TWO MEETINGS OF COMMITTEE I ON APRIL 14TH AND ONE MEETING OF THE NJENGA WORKING GROUP ON THE SYSTEM OF EXPLOITATION. AT THE COMMITTEE I MEETING IT WAS DECIDED THAT A WORKING GROUP WOULD BE ESTABLISHED ON THE ORGANS OF THE AUTHORITY; THIS GROUP WOULD BE CHAIRED BY ENGO OF CAMEROON AND WOULD SCHEDULE ITS WORK AT A SOMEWHAT SLOWER PACE THAN THE OTHER TWO WORKING GROUPS. A DECISION ON THE CHAIRMANSHIP AND STATUS OF THE WORKING GROUP ON FINANCIAL ARRANGEMENTS WAS POSTPONED UNTIL APRIL 18TH.

DISCUSSION IN THE NJENGA WORKING GROUP CENTERED ON AN EEC STATEMENT REGARDING TRANSFER OF TECHNOLOGY. THIS STATEMENT PROPOSED THAT A CONTRACTOR BE REQUIRED TO NEGOTIATE A TRANSFER OF TECHNOLOGY WITH THE AUTHORITY IN GOOD FAITH
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AND THAT DISAGREEMENTS ARISING FROM THIS NEGOTIATION SHOULD BE REFERRED TO A CONCILIATION PROCEDURE. THE INITIAL REACTIONS OF G-77 REPRESENTATIVES WERE MIXED: PERU STATED THAT IT SAW SOME POSSIBILITIES IN THE STATEMENT AND ASKED FOR A COPY OF IT IN WRITING; TANZANIA STATED THAT THE PROPOSAL OFFERED NOTHING NEW AND THAT WHAT WAS REQUIRED FOR A SUCCESSFUL NEGOTIATION WAS A GUARANTEE THAT THE ENTERPRISE WOULD HAVE SUFFICIENT FINANCING AND TECHNOLOGY TO GET INTO BUSINESS.

3. AT THE FIRST FORMAL MEETING OF COMMITTEE II, IT WAS DECIDED THAT THE COMMITTEE NEED NOT CONCERN ITSELF WITH CERTAIN QTE HARD-CORE ISSUES UNQTE WHICH GENERALLY FALL WITHIN ITS PURVIEW (LL/GDS, DISPUTE SETTLEMENT IN RESPECT OF COASTAL STATE RIGHTS IN THE EEZ, AND DELIMITATION BETWEEN OPPOSITE AND ADJACENT STATES), SINCE SPECIAL NEGOTIATING GROUPS DEALING WITH THESE ISSUES WILL BE ESTABLISHED AT THE LEVEL OF THE PLENARY. THE COMMITTEE DEFERRED ACTION ON THE ESTABLISHMENT OF NEGOTIATING ARRANGEMENTS ON THE ISSUE OF THE DELIMITATION OF THE OUTER LIMIT OF THE CONTINENTAL SHELF AND REVENUE SHARING, PENDING THE ISSUANCE OF THE REPORT OF THE SECRETARIAT

ON THIS QUESTION ON APRIL 19.

4. IN THE CATEGORY OF QTE OTHER ISSUES UNQTE, A NUMBER OF STATES SOUGHT TO REVIVE SEVERAL OTHER ISSUES FALLING WITHIN THE TERMS OF REFERENCE OF COMMITTEE II, INCLUDING STRAITS, THE LEGAL STATUS OF THE EEZ, ISLANDS, ENCLOSED AND SEMI-ENCLOSED SEAS, AND RIGHTS OF TRANSIT BY LAND-LOCKED STATES. AS TO THESE ISSUES, IT IS QUESTIONABLE WHETHER ANY NEW NEGOTIATING GROUPS WILL BE FORMED GIVEN THE PRESS OF TIME AND GENERAL OPPOSITION TO HOLDING SIMULTANEOUS MEETINGS.

5. THERE WERE NO SIGNIFICANT DEVELOPMENTS APRIL 14 IN COMMITTEE III OR DISPUTE SETTLEMENT MATTERS. RICHARDSON
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